

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 )  
v. ) CRIMINAL NO. 03-10361-RWZ  
 )  
 )  
KEVIN BRIGGS )

MOTION TO CONTINUE SENTENCING HEARING

The defendant Kevin Briggs respectfully moves this Court for a continuance of the sentencing hearing in the above-captioned case. The sentencing is currently set for September 14, 2005.

In support of this motion, undersigned counsel submits that she needs additional time to prepare for the sentencing in this matter. Counsel was on vacation when the first draft of the presentence report reached her office. Counsel returned to work on Tuesday September 6. Since her return, counsel has not had time to review the draft of the report with the defendant and to register any objections to it. Counsel will be in trial before the Honorable Morris Lasker in the case of United States v. Trevis Catron, 04-10108, beginning September 12 and will not be able to turn her attention to preparing for the sentencing hearing in this case until the conclusion of the Catron trial. Counsel also anticipates asking this Court to depart from the advisory guideline range, and therefore needs time to prepare a memorandum for the Court's consideration.

Wherefore, for above-stated reasons, counsel requests that this motion to continue the sentencing hearing be allowed.

Respectfully submitted,

KEVIN BRIGGS  
By his attorney,

/s/ Syrie D. Fried  
B.B.O. # 555815  
Federal Defender Office  
408 Atlantic Avenue, 3rd Floor  
Boston, MA 02110  
Tel: 617-223-8061